IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.2562 OF 2005

Mr.Hiten S/o.Haridas Raichura ...Petitioner

Versus

The State of Maharashtra & Ors. ...Respondents

.....

Mr.A.M.Saraogi for Petitioner.

Ms.M.M.Deshmukh, A.P.P. for Respondent No.1.

Ms.C.Bocakko for Respondent No.2.

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CORAM: A.M.KHANWILKAR, J.

DECEMBER 7, 2005.

P.C.

1. Heard Counsel for the parties.

2. I see no propriety in interdicting the order passed by the lower Court directing further investigation and filing of further police report under Section 173(8) of the Criminal Procedure Code. It is not possible to entertain the argument canvassed across the bar before the report is

submitted which may or may not indicate complicity of the Applicant. Hence, this Petition is disposed of on the assurance given by the A.P.P. that further report will be filed forthwith before the Trial Court, in any case, not later than ten days from today.

3. It is made clear that I am not entering into correctness of any of the issues raised in the present Petition. All questions are left open.

A.M.KHANWILKAR, J.